

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TODD YUKUTAKE and DAVID
KIKUKAWA,

Plaintiffs,

vs.

CLARE E. CONNORS, in her
Official Capacity as the Attorney
General of the State of Hawaii and the
CITY and COUNTY OF
HONOLULU,

Defendants.

CIVIL NO. 19-00578 JMS-RT

MEMORANDUM IN SUPPORT OF
MOTION

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I. INTRODUCTION

This is a Second Amendment case in which the Plaintiffs complain about two statutes, Hawaii Revised Statutes §§ 134-2 and 134-3. Plaintiffs are dissatisfied that (1) a permit to acquire a handgun is only valid for ten days after the date of issuance, and (2) they must bring their newly acquired firearms to the Honolulu Police Department for registration. Plaintiffs allege that their rights to acquire firearms are being significantly impeded by the Defendants' actions, and they have moved this Court for an order that those requirements violate the Second Amendment. See ECF No. 54.

Following the June 9, 2020 status conference with the Magistrate Judge, counsel for the parties conferred regarding a procedure for filing their clients' contemplated motions for summary judgment. The parties agreed that Plaintiffs would file for summary judgment first, followed by Defendant Connors' counter motion/opposition, then Plaintiffs' opposition/reply, and finally Defendant Connors' reply. It was the parties' hope that this proposed procedure would eliminate unnecessary and redundant briefing. The parties' proposal was submitted to the Court and was approved as being consistent with Local Rule 7.7. See the Declaration of Kendall J. Moser attached hereto.

In the course of preparing Defendant Connors' counter motion/opposition, which is due by August 12, 2020, it is becoming clear to her counsel that a thorough discussion of the important constitutional issues raised in this case is very difficult to compress into twenty-five (25) pages. This case has potentially far-reaching effects. Therefore, pursuant to Local Rule 7.4(a), Defendant Connors requests leave from this Court to submit a memorandum not to exceed thirty (30) pages in length.¹

¹ (a) Unless the court orders otherwise, a brief or memorandum in support of or in opposition to any motion, petition, or appeal, including one filed by a pro se party, shall not exceed twenty-five (25) pages in length, unless it complies with LR7.4(b) and (e). (Emphasis added).

This request is made for good cause and not for purposes of delay, harassment, etc. Counsel for Plaintiffs do not oppose this request. See the Declaration of Kendall J. Moser attached hereto.

II. CONCLUSION

Based on the above-stated reasons and authorities, Defendant Connors respectfully requests that the foregoing motion be granted.

DATED: Honolulu, Hawaii, August 5, 2020.

STATE OF HAWAII

CLARE E. CONNORS
Attorney General
State of Hawaii

/s/ Kendall J. Moser
KENDALL J. MOSER
Deputy Attorney General

Attorney for Defendant
CLARE E. CONNORS, in her
Official Capacity as the Attorney
General of the State of Hawaii